

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WHITE, et al., .
Plaintiffs, .
vs. . Case No. 17-cv-01775
LG ELECTRONICS, INC., et al., . Newark, New Jersey
Defendants. . September 26, 2017
. .

TRANSCRIPT OF HEARING
BEFORE THE HONORABLE STEVEN C. MANNION
UNITED STATES MAGISTRATE JUDGE

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1 (Commencement of proceedings at 10:43 A.M.)

3 THE COURT OFFICER: We are on the record in the
4 case White versus LG Electronics, 17-cv-1775.

5 THE COURT: All right. May I have appearance
6 beginning with plaintiff's counsel.

7 MR. BERMAN: Michael Eric Berman, counsel for
8 plaintiffs.

THE COURT: Welcome. And for each defense?

10 MR. GREENBAUM: Jeffrey J. Greenbaum, Sills
11 Cummis & Gross for defendant LG Electronics U.S. Inc.

12 MR. RUBIN: Michael Rubin, Latham & Watkins for
13 defendant LG Electronics U.S.A.

14 MR. MCDONALD: Michael McDonald from Gibbons P.C.
15 on behalf of Samsung Electronics, for the record.

16 MR. BOSSET: Eric Bosset, Covington & Burling on
17 behalf of Samsung Electronics American.

18 MR. MELODIA: Mark Melodia here with Siobhan Nolan
19 from Reed Smith making a limited appearance for Sony
20 Corporation of America and Sony Electronics Inc.

THE COURT: Okay. We had a conversation off the record about status of this matter and a way forward.

23 It's the Court's understanding that all counsel
24 have agreed for their respective clients to an administrative
25 termination of this case, a stay and an administrative

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1 termination of the case without prejudice; that a
2 administrative termination is a docket control device that
3 simply turns off the docket and stays the case for a specific
4 period of time. Here, the time would be 90 days, during
5 which the statute of limitations would not begin to run.
6 This is not a dismissal of the case for any other purposes
7 other than to turn off the case pending the additional
8 investigation by plaintiffs.

9 In order to reactivate the case, plaintiffs'
10 counsel would need to file a letter with the Court -- I'm
11 going to say by December 22nd, so anytime up until
12 December 22nd, a letter requesting that the case be restored
13 to the active lists and attaching a proposed amended
14 complaint to be filed.

15 If that happens, then defense counsel would have
16 opportunity to respond to the proposed amended pleading, but
17 the case would be restored to the active list.

18 And defendants would also have the opportunity to
19 request, if there is no proposed pleading, request that their
20 motion to dismiss be decided. Okay?

21 If there is a proposed pleading and the Court
22 grants it, that would moot the motion to dismiss, and we
23 would have to decide what happens at that point. Okay?

24 Are these terms acceptable to plaintiffs?

25 MR. BERMAN: Yes, Your Honor.

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1 THE COURT: All right. To defense?

2 MALE SPEAKER: Yes.

3 MR. MELODIA: Your Honor, the way Your Honor just
4 phrased the options, at the 90-day point don't really account
5 for the fact that the Sony entities have not yet joined --
6 the motion to dismiss.

7 THE COURT: Okay.

8 MR. MELODIA: So --

9 THE COURT: So at this point, you would have no
10 obligation to respond to the current pleading or anything
11 during that 90 days.

12 MR. MELODIA: And if after that 90 days, there was
13 no response from plaintiffs.

14 THE COURT: The case would be dismissed with
15 prejudice.

16 MR. MELODIA: As to all of the defendants?

17 THE COURT: Everybody named in the current
18 complaint.

19 MR. MELODIA: Okay.

20 THE COURT: Okay? All right. With that, I will
21 contact Judge Arleo, and most likely she'll instruct me to
22 file the appropriate order. And I will hear from you if you
23 want me to. Okay?

24 Thank you all very much. We are adjourned.

25 (Conclusion of proceedings at 11:05 A.M.)

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|Certification

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11 I further certify that I am in no way related to any of
12 the parties hereto nor am I in any way interested in the
13 outcome hereof.

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S/ *Sara L. Kern*

26th of October, 2017

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